

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ECONOMIC SECURITY

- 1. Title and its heading:** 6, Economic Security

Chapter and its heading: 1, Department of Economic Security

Article and its heading: 1, Public Participation in Rulemaking
2, Debt Setoff
3, Good Cause Exception for Provider Employment or Use of Ex-Offenders
4, Fingerprinting
5, Civil Rights

Section numbers: R6-1-101, R6-1-107, R6-1-201, R6-1-202, R6-1-301, R6-1-309, R6-1-401, R6-1-409, R6-1-501

Additional Sections may be added or deleted as necessary.
- 2. The subject matter of the proposed rule:**

Article 1 deals with public participation in rulemaking, and governs the process by which agency rules are developed and become effective. Article 2 authorizes the Department to set off sums owed to it out of lottery winnings and state tax refunds, and describes the rights of a person whose debt was set off to file for, and receive, a review of the setoff. Article 3 prescribes the conditions under which a Department-licensed provider may employ a person who has committed prior criminal acts. Article 4 enables the Department to do criminal history checks on persons who provide unsupervised services to children. Article 5 states the Department's policy on nondiscrimination, in compliance with the Civil Rights Act of 1964.
- 3. A citation to all published notices relating to the proceeding:**

None
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name:	Beth Broeker
Address:	1789 W. Jefferson Site Code 837A Phoenix, AZ 85007
Telephone:	(602) 542-6555
Fax:	(602) 542-6000
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

The Department will accept written comments from now until the close of record, which has not yet been scheduled, to the person named in item #4. No oral proceeding has been scheduled at this time.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**

Unknown

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ECONOMIC SECURITY - UNEMPLOYMENT INSURANCE

- 1. Title and its heading:** 6, Economic Security

Chapter and its heading: 3, Unemployment Insurance

Articles and their headings: 15, Decisions, Hearings and Orders
54, Benefit Claims, Computation, Extension, and Overpayment

Section numbers: R6-3-1503, R6-3-1504, R6-3-5475

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2. The subject matter of the proposed rules:

This rulemaking will allow the Department to accept an initial unemployment insurance claim, a continued unemployment insurance claim, an appeal of a Determination of Deputy, or an appeal of an Appeal Tribunal decision through the Internet. This rulemaking will also refine the definition of "good cause" as it appears in R6-3-1503(B)(3)(d), and add an excusable neglect standard for good cause for nonappearance in R6-3-1503.

3. A citation to all published notices relating to the proceeding:

None

4. Name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Beth Broeker
Address: 1789 W. Jefferson
Site Code 837A
Phoenix, AZ 85007

or

P.O. Box 6123
Site Code 837A
Phoenix, AZ 85005

Telephone: (602) 542-6555

Fax: (602) 542-6000

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

Written comments will be accepted during business hours by the person named in item #4, until further notice is provided. The Department has not scheduled oral proceedings at this time.

6. A timetable for agency decisions or action on the proceedings, if known:

None

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ECONOMIC SECURITY - SOCIAL SERVICES

1. Title and its heading: 6, Economic Security

Chapter and its heading: 5, Department of Economic Security - Social Services

Article and its heading: 51, Child Day Care Services

Section numbers: R6-5-5101 through R6-5-5107

2. The subject matter of the proposed rules:

This Article contains outdated rules on Child Day Care Services. Article 49 now contains the Department's rules on Child Care Assistance, so the rules in Article 51 are no longer necessary and will be repealed.

3. A citation to all published notices relating to the proceeding:

None to date

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Beth Broeker
Address: 1789 W. Jefferson
Site Code 837A
Phoenix, AZ 85007

or

P.O. Box 6123
Site Code 837A
Phoenix, AZ 85005

Telephone: (602) 542-6555

Fax: (602) 542-6000

Arizona Administrative Register
Notices of Rulemaking Docket Opening

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

During regular business hours, from the present until the close of record, to the person designated in item #4.

6. A timetable for agency decisions or other actions on the proceeding, if known:

Unknown

NOTICE OF RULEMAKING DOCKET OPENING

**DEPARTMENT OF ECONOMIC SECURITY
DEVELOPMENTAL DISABILITIES**

- 1. Title and its heading:** 6, Economic Security
Chapter and its heading: 6, Department of Economic Security - Developmental Disabilities
Article and its heading: 17, Human Rights Committees
Section numbers: R6-6-1701 through R6-6-1706
Sections may be added or deleted as necessary.

2. The subject matter of the proposed rules:

The Department, in compliance with R1-6-108, completed a 5-year review report on the rules in Chapter 6 as required by A.R.S. § 41-1056. The Department identified the need to revise and update these rules in order to comply with changes initiated by the Arizona Legislature, any applicable Federal Statutes and to Division practices.

This Article contains rules describing specific requirements and responsibilities for establishing at least three Human Rights Committees composed of at least 7 and not more than 15 persons with expertise in one or more of the following areas: psychology, law, medicine, education, special education, and parents of the developmentally disabled. The rules stipulate that each committee shall meet at least six times each calendar year and, within three months of its formation, each committee shall have established written rules by which the committee and its membership shall be governed.

R6-6-1701, R6-6-1702, R6-6-1703, R6-6-1704, R6-6-1705, and R6-6-1706 are proposed for repeal because these rules were adopted last legislative session as A.R.S. § 41-3801 by Laws 2000, Chapter 261, Section 2.

3. A citation to all published notices relating to the proceeding:

None to date

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Beth Broeker
Address: 1789 W. Jefferson
Site Code 837A
Phoenix, AZ 85007

or

P.O. Box 6123
Site Code 837A
Phoenix, AZ 85005

Telephone: (602) 542-6555

Fax: (602) 542-6000

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

During regular business hours, from the present until the close of record, to the person designated in item #4.

6. A timetable for agency decisions or other actions on the proceeding, if known:

Unknown

NOTICE OF RULEMAKING DOCKET OPENING

**DEPARTMENT OF ECONOMIC SECURITY
DEVELOPMENTAL DISABILITIES**

- 1. Title and its heading:** 6, Economic Security
Chapter and its heading: 6, Department of Economic Security - Developmental Disabilities
Article and its heading: 2, Day Program Monitoring
Section numbers: Sections will be added as necessary.
- 2. The subject matter of the proposed rules:**
This Article would contain information related to monitoring for day program services. This is a new Article.
- 3. A citation to all published notices relating to the proceeding:**
None to date
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Beth Broeker
Address: 1789 W. Jefferson
Site Code 837A
Phoenix, AZ 85007

or

P.O. Box 6123
Site Code 837A
Phoenix, AZ 85005

Telephone: (602) 542-6555
Fax: (602) 542-6000
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
During regular business hours, from the present until the close of record, to the person designated in item #4.
- 6. A timetable for agency decisions or other actions on the proceeding, if known:**
Unknown

NOTICE OF RULEMAKING DOCKET OPENING

**DEPARTMENT OF ECONOMIC SECURITY
DEVELOPMENTAL DISABILITIES**

- 1. Title and its heading:** 6, Economic Security
Chapter and its heading: 6, Department of Economic Security - Developmental Disabilities
Article and its heading: 6, Program Services
Section numbers: R6-6-601 through R6-6-607
Other Sections may be added or deleted as necessary.
- 2. The subject matter of the proposed rules:**
This Article contains rules on Case Management, Individual Service and Program Plan, assignment to services, periodic evaluation, transfer or changes in service and consent of the responsible person.

The Department, in compliance with R1-6-108, completed a five-year review report on the rules in Chapter 6 as required by A.R.S. § 41-1056. The Department identified the need to revise and update these rules in order to comply with changes initiated by the Arizona Legislature, any applicable Federal Statutes, and to Division practices.
- 3. A citation to all published notices relating to the proceeding:**
None to date
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Beth Broeker

Notices of Rulemaking Docket Opening

Address: 1789 W. Jefferson
Site Code 837A
Phoenix, AZ 85007

or

P.O. Box 6123
Site Code 837A
Phoenix, AZ 85005

Telephone: (602) 542-6555

Fax: (602) 542-6000

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

During regular business hours, from the present until the close of record, to the person designated in item #4.

6. A timetable for agency decisions or other actions on the proceeding, if known:

Unknown

NOTICE OF RULEMAKING DOCKET OPENING

**DEPARTMENT OF ECONOMIC SECURITY
DEVELOPMENTAL DISABILITIES**

1. Title and its heading: 6, Economic Security

Chapter and its heading: 6, Department of Economic Security - Developmental Disabilities

Article and heading: 9, Managing Inappropriate Behaviors

Section numbers: R6-6-901 through R6-6-910 (Other Sections may be added or deleted as necessary.)

2. The subject matter of the proposed rules:

This Article contains rules on managing inappropriate behaviors, including applicability, prohibitions, program review committee, ISPP team responsibilities, monitoring behavior treatment plans, training, sanctions, emergency measures, and behavior-modifying medications.

The Department, in compliance with R1-6-108, completed a five-year review report on the rules in Chapter 6 as required by A.R.S. § 41-1056. The Department identified the need to revise and update these rules in order to comply with changes initiated by the Arizona Legislature, any applicable Federal Statutes, and to Division practices.

3. A citation to all published notices related to the proceeding:

None

4. Name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Beth Broeker

Address: 1789 W. Jefferson
Site Code 837A
Phoenix, AZ 85007

or

P.O. Box 6123
Site Code 837A
Phoenix, AZ 85005

Telephone: (602) 542-6555

Fax: (602) 542-6000

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

During regular business hours, from the present until the close of record, to the person designated in item #4.

6. A timetable for agency decisions or other actions in the proceeding, if known:

Unknown

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF HEALTH SERVICES - OCCUPATIONAL LICENSING

- 1. Title and its heading:** 9, Health Services
Chapter and its heading: 16, Department of Health Services - Occupational Licensing
Article and its heading: 4, Registration of Sanitarians
Section numbers: R9-16-401, R9-16-402, and R9-16-405 through R9-16-414
The Department may add, delete, or modify additional Sections as necessary.
- 2. The subject matter of the proposed rules:**
The rules, adopted September 29, 1976, set forth requirements for the registration of sanitarians. The last five-year review report (Report) was approved by the Governor's Regulatory Review Council (G.R.R.C.) on January 9, 1996. Proposed rules were drafted and published in the *Register*, oral proceedings were held, and a final rulemaking package was submitted to G.R.R.C. In the process of reviewing the final rulemaking package substantive and statutory issues were identified and the rulemaking was terminated. The Sanitarians' Council (Council) is working on proposed rules that address issues in the Report, reflect current industry standards and Council policy, incorporate current statutory requirements, and resolve the issues identified during the G.R.R.C. review.

The agency docket number, if applicable:
RE-019-01
- 3. A citation to all published notices relating to the proceeding:**
None
- 4. The name and address of agency personnel with whom persons may communicate regarding the rules:**
Name: Will Humble, Office Chief
Address: Department of Health Services
3815 N. Black Canyon Highway
Phoenix, AZ 85015
Telephone: (602) 230-5941
Fax: (602) 230-5933
or
Name: Kathleen Phillips, Rules Administrator
Address: Department of Health Services
1740 W. Adams Street
Phoenix, AZ 85020
Telephone: (602) 542-1264
Fax: (602) 364-1150
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Written comments will be accepted Monday through Friday, 8:00 a.m. to 5:00 p.m., at the address listed in item #4 until the close of record, which has not yet been determined. The schedule for public hearings, at which oral comments may be presented, will be included in the Notice of Proposed Rulemaking.
- 6. The timetable for agency decisions or other action on the proceeding:**
The Department plans to submit a Notice of Proposed Rulemaking by August 2001.

NOTICE OF RULEMAKING DOCKET OPENING

GAME AND FISH COMMISSION

- 1. Title and its heading:** 12, Natural Resources
Chapter and its heading: 4, Game and Fish Commission
Article and its heading: 1, Definitions and General Provisions

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3, Taking and Handling of Wildlife

Section numbers:

R12-4-119, R12-4-304, R12-4-307, and R12-4-309

As a part of this rulemaking, the Commission may add, delete, or modify additional Sections in Article 1 or Article 3 as necessary.

2. The subject matter of the proposed rules:

R12-4-119: The reference to “Arizona Law Enforcement Officer Advisory Council” is no longer correct and the rule will be amended to replace it with “Arizona Peace Officer Standards and Training Board.”

R12-4-304: Amendments related to Lawful Methods for Taking Wild Mammals, Birds and Reptiles.

R12-4-307: Amendments related to Trapping Regulations: Licensing; Methods; Tagging of Bobcat Pelts.

R12-4-309: The Agency intends to repeal this rule.

As a part of this rulemaking, the Commission may add, delete, or modify additional Sections in Article 1 or Article 3 as necessary.

The agency docket number: P.

3. A citation to all published notices relating to the proceeding:

None

4. The name and address of agency personnel with whom persons may communicate regarding the rules:

Name: Mark E. Naugle, Manager, Rules and Risk Management

Address: Arizona Game and Fish Department
2221 West Greenway Road DORR
Phoenix, AZ 85023

Telephone: (602) 789-3289\

Fax: (602) 789-3299

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

Written comments will be accepted Monday through Friday from 8:00 a.m. to 5:00 p.m. The schedule for oral proceedings is to be determined and will be published when scheduled.

6. The timetable for agency decisions or other action on the proceeding:

To be determined

NOTICE OF RULEMAKING DOCKET OPENING

ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD

1. Title and its heading: 13, Public Safety

Chapter and its heading: 4, Arizona Peace Officer Standards and Training Board

Article and its heading: 1, General Provisions
2, Correctional Officer Appointment and Training Requirements

Section numbers: R13-4-101, R13-4-103 through R13-4-109.01, R13-4-110 through R13-4-116,
R13-4-118, R13-4-201, R13-4-202, R13-4-205

2. The subject matter of the proposed rules:

The Arizona Peace Officer Standards and Training Board proposes to amend its rules to provide clearer direction to the regulated community, and bring its rules into compliance with legislative direction and Attorney General opinions. The rulemaking amends record retention rules and adds administrative time-frame requirements. The changes also eliminate references to repealed rules and allow agencies to comply with the Americans with Disabilities Act.

The agency docket number:

AZPOST Rules Docket 01-01

3. A citation to all published notices relating to the proceeding:

None

4. The name and address of the agency personnel with who persons may communicate regarding these rules:

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Name: Lyle Mann, Standards and Compliance Manager
Address: Arizona Peace Officer Standards and Training Board
2643 E. University
Phoenix, AZ 85034
Telephone: (602) 223-2514
Fax: (602) 244-0477

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

Oral and written comments will be accepted between 8:00 a.m. and 5:00 p.m., Monday through Friday, until the close of the record at:

Arizona Peace Officer Standards and Training Board
2643 E. University
Phoenix, AZ 85034

6. A timetable for agency decisions or other action on the proceeding, if known:

To be determined

NOTICE OF RULEMAKING DOCKET OPENING

CORPORATION COMMISSION - SECURITIES

1. Title and its heading: 14, Public Service Corporations; Corporations and Associations;
Securities Regulation

Chapter and its heading: 4, Corporation Commission - Securities

Article and its heading: 1, In General Relating to the Arizona Securities Act

Section numbers: R14-4-131
Other Sections may be added, deleted, or modified.

2. Subject matter of proposed rules:

The rulemaking proposal includes the amendment of Section R14-4-131. Currently, Section R14-4-131 provides that no dealer shall be deemed to have failed to reasonably supervise its salesmen if the dealer meets the conditions of the rule. The rule is being amended to reflect changes to A.R.S. § 44-1961(A)(12).

Agency docket number: Docket Number RS-00000A-01-0512

3. A citation to all published notices relating to the proceeding:

None

4. Agency contact person:

Name: Cheryl T. Farson, General Counsel
Address: Arizona Corporation Commission, Securities Division
1300 W. Washington, Third Floor
Phoenix, AZ 85007
Phone: (602) 542-4242
Fax: (602) 594-7470

5. Time during which agency will accept written comments:

Monday through Friday, 8:00 a.m. to 5:00 p.m.

Time and place where oral comments may be made:

Monday through Friday, 8:00 a.m. to 5:00 p.m. at the Securities Division as noted in item #4. No hearing date has been set.

6. A timetable for agency decisions or other action on the proceeding, if known:

Not known

NOTICE OF RULEMAKING DOCKET OPENING

CORPORATION COMMISSION - SECURITIES DIVISION

- 1. Title and its heading:** 14, Public Service Corporations; Corporations and Associations;
Securities Regulation

Chapter and its heading: 4, Corporation Commission - Securities

Article and its heading: 1, In General Relating to the Arizona Securities Act

Section numbers: R14-4-134
Other Sections may be added, deleted, or modified.
- 2. Subject matter of proposed rules:**
The rulemaking proposal includes the amendment of Section R14-4-134. Section R14-4-134 provides the conditions for registration of securities under A.R.S. § 44-1902. The rule is being amended to reflect changes to A.R.S. § 44-1902.

Agency docket number: Docket Number RS-00000A-01-0513
- 3. A citation to all published notices relating to the proceeding:**
None
- 4. Agency contact person:**

Name: Cheryl T. Farson, General Counsel

Address: Arizona Corporation Commission, Securities Division
1300 W. Washington, Third Floor
Phoenix, AZ 85007

Phone: (602) 542-4242

Fax: (602) 594-7470
- 5. Time during which agency will accept written comments:**
Monday through Friday, 8:00 a.m. to 5:00 p.m.

Time and place where oral comments may be made:
Monday through Friday, 8:00 a.m. to 5:00 p.m. at the Securities Division as noted in item #4. No hearing date has been set.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
Not known